

IN THE COUNTY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY,
MISSISSIPPI

FILED

PITT PLASTICS

MAR 28 2012

PLAINTIFF

VS.

BARBARA DUNN, CIRCUIT CLERK CAUSE NO. 12-1087

BY _____ D.C.

MISSISSIPPI PRODUCTS INC

DEFENDANT(S)

COMPLAINT

Plaintiff files suit against Defendant(s) for the following reasons:

1. Defendant(s), can be served the following locations:

MISSISSIPPI PRODUCTS INC (SEE ATTACHED SUMMONS)
52 FREEHILL CIRCLE
BRANDON MS 39042

2. Defendant(s) purchased goods and/or services on open account from plaintiff. A copy of the invoices and/or statement of account is attached hereto as Exhibit "1".

3. Defendant(s) has failed to pay for these goods and/or services. Plaintiff made written demand for payment thirty days prior to filing this action. Defendant(s) have not made any payment since the notice. A copy of the written demand is attached as Exhibit "2".

4. Defendant(s) owe(s) plaintiff \$25082.55 on the open account. Pre-judgment interest from 12/01/2011 at the rate of 8.0000% has accrued in the amount of \$604.73. Prejudgment interest continues to accrue.

5. Defendant(s) owe(s) plaintiff its reasonable attorneys' fees pursuant Mississippi law.

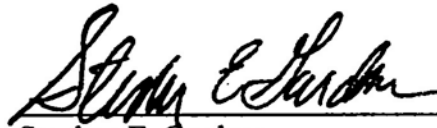
WHEREFORE, PREMISES CONSIDERED, plaintiff demands judgment against the Defendant(s), for \$ 25082.55, plus accrued pre-judgment interest, post judgment interest, reasonable attorney fees and all court costs.

DATED: March 23, 2012.

Respectfully submitted,

PITT PLASTICS

By:



Stephen E. Gardner

Stephen E. Gardner
MS Bar No. 4749
Young Williams P.A.
P. O. Box 23059
Jackson, Mississippi 39225-3059
Telephone: (601)-948-6100



YOUNG WILLIAMS

YOUNG WILLIAMS P.A.

Attorneys at Law
210 East Capitol Street
Suite 2000
Jackson, Mississippi 39201
Post Office Box 23059
Jackson, Mississippi 39225-3059
Telephone 601.948.6100
Fax 601.355.6136
www.youngwilliams.com

December 1, 2011

**MISSISSIPPI PRODUCTS INC
2457 VALLEY STREET
JACKSON MS 39284**

**RE: PITT PLASTICE Indebtedness
Amount owed: 25082.55**

J. Wesley Daughdrill, Jr.

Sean Wesley Ellis

Kenneth D. Farmer

Stephen E. Gardner

Don H. Goode

Robert L. Holladay, Jr.

Jay M. Kilpatrick

J. Scott Magee

Frank E. McRae, III

James H. Neeld, III

James H. Neeld, IV

Robert E. Sanders

Robert L. Wells

E. Stephen Williams

James Leon Young,

Of Counsel

J. Will Young,

1906-1996

Tony Carlisle,

Administrator

Your account with PITT PLASTICE, has been turned over to this office for collection. You are indebted to PITT PLASTICE in the amount of \$25,082.55. A statement of account and/or invoices of this account are enclosed.

Pursuant to Miss. Code Ann. § 11-53-81, if you fail to pay this account in full within thirty (30) days of the date of this notice, legal action will be taken and you will also be liable for reasonable attorney's fees for collection of this debt. You should send your payment to me at the address below.

To discuss payment arrangements, please call 601-360-9001.

Sincerely yours,

Frank E. McRae
Enclosure



1400 ATKINSON AVENUE
P.O. BOX 356
PITTSBURG, KANSAS 66762-0356
620-231-4030

Invoice

REMIT PAYMENT TO:
PITT PLASTICS, INC.
P.O. BOX 876871
KANSAS CITY, MO 64187-6871

Invoice No: 370418
Invoice Date: 28-JUN-11
Order No: 359529
Order Date: 20-JUN-11
Ship Date: 28-JUN-11
Ship Via: Old Dominion
Pro/UPS #: 04640559771

INV TO: 25613
Mississippi Products
P.O. Box 8866
Jackson MS 39284-8866

SHIP TO: 25613
Mississippi Products
2457 Valley Street
Jackson MS 38204

PO No: 121053
Acct Mgr: Cindy Akina
Broker: Bradley & Associates
Buying Group:
Terms: 1/10 Net 30
Please deduct \$121.76 if payment received by
08-JUL-11.

Order Line #	Order Qty	Backorder Qty	Shipped Qty	Item Description	Unit Price	Extended Price
1	18	0	18	IB8412C 8x4x12, Heavy, IB LINER, Clear, Gusset, Flat Pack, 1000, No Print,	\$15.29	\$275.22
2	18	0	18	MT33W 24x32, Medium, 12-16 Gallons, White, Star, Flat Pack, 500, No Print,	\$16.58	\$298.44
3	99	0	99	VB74020K 33x39, Heavy, 33 Gallon, Black, Star, Flat Pack, 250, No Print,	\$14.37	\$1,422.63
4	90	0	90	VG3901R 33x39, Extra Heavy, 33 Gallon, Red, Star, Flat Pack, 150, Black Ink,	\$18.99	\$1,709.10
5	117	0	117	VP3310DC 24x32, Regular, 16 Gallon, Clear, Star, Flat Pack, 1000, No Print,	\$22.21	\$2,598.57
6	351	0	351	VRP434715K 43x47, Extra Heavy, 56 Gallon, Black, Star, Flat Pack, 100, No Print,	\$16.73	\$5,872.23
	693	0	693	Total Weight: 12,153.06		

Invoice Sub-Total \$12,176.19
Invoice Total \$12,176.19

COMMENTS:-

For better service and quality we encourage you to order in full layers and/or full pallets.

****NO RETURNS ACCEPTED WITHOUT PRIOR AUTHORIZATION****

- INVOICES UNPAID 31 DAYS AFTER INVOICE DATE ARE SUBJECT TO SERVICE CHARGES OF 1-1/2% PER MONTH (18% PER ANNUM).
- UNAUTHORIZED DEDUCTIONS ARE NOT ALLOWED AND WILL BE SUBJECT TO FINANCE CHARGES AS STATED ABOVE.
- RETURNED MERCHANDISE WILL NOT BE ACCEPTED WITHOUT A RETURN AUTHORIZATION NUMBER ISSUED BY PITT PLASTICS.
- ALL RETURNED MERCHANDISE WILL BE SUBJECT TO A 10% RESTOCKING FEE AND APPLICABLE FREIGHT CHARGES.
- SPECIAL RUN OR CUSTOM ORDERS ARE NON-RETURNABLE WITH THE EXCEPTION OF PRODUCT DEFECT.
- PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE.
- PITT PLASTICS RESERVES THE RIGHT TO PASS THROUGH TO CUSTOMER ANY PRICE INCREASES/SURCHARGES BY PITT PLASTICS SUPPLIERS ON A DIRECT BASIS WITH NO MARK UP. ANY PRICE INCREASES/SURCHARGES BY SUPPLIERS WILL BE PASSED THROUGH TO CUSTOMER IMMEDIATELY UPON NOTICE OF ANY PRICE INCREASE/SURCHARGE TO PITT PLASTICS BY ANY SUPPLIER.

JUN-20-2011 08:09 FROM:
 JUN-17-2011 17:15 FROM:MISS.PRODUCTS

601 502 1404

TO: PITT
 TO: 15013882723

P. 2/2
 P. 1/1



Mississippi Products, Inc.
 P O Box 8868
 Jackson, MS 39284-8868
 Phone: (601) 502-1404
 Fax: (601) 602-1404

PURCHASE ORDER

Purchase Order No 121053
 Revision No. 0
 Date 6/17/2011
 Order Type Regular Order
 Vendor ID PTT002

TO: Pitt Plastics 1400 Atkinson Avenue Pittsburg, KB 68762		SHIP TO: Mississippi Products, Inc. 2457 Valley Street Jackson, MS 39204	
Phone: 6202314030 Fax:		BILL TO: Mississippi Products, Inc. P.O. Box 8868 Jackson, MS 39284-8868	

PAGE 1

Confirm to: **FOB POINT** **SHIP VIA** **CURRENCY**

TERMS
 Net 30 Days

ORDER DATE
 6/17/2011

LINE	PART NUMBER	QUANTITY	UNITS	DATE REQUIRED	PRICE	TOT. PRICE
1	1B-8412-C Dag, Ice Bucket 8" x 4" x 12" .65 mil 1000/cs	18.00	CS	6/28/2011	14.420	259.56
2	MT33W Liners, Can 24" x 32" (White) Extra Heavy 600/cs	18.00	CS	7/1/2011	15.770	283.86
3	VB74020K Liners Can 33" x 40" (Black) .60 mil 250/cs	69.00	CS	6/28/2011	14.370	1,422.63
4	VG3901R Liners Infectious Waste 33" x 39" (Red) 1.2 mil 150/cs	90.00	CS	6/28/2011	18.990	1,709.10
5	VP3310DC Liners Can 24" x 32" (Clear) .35 mil 1000/cs	117.00	CS	6/28/2011	22.210	2,598.57
6	VRP434715K Liners Can 43" x 47" Extra Heavy (Black) 100/cs	351.00	CS	6/28/2011	16.730	5,872.23

TOTAL 12,145.95

OLD DOMINION FREIGHT LINE, INC. (ODFL)
 PO BOX 841324 - DALLAS, TX 75284-1324 USA
 (336) 869-5000 Visit us at WWW.ODFL.COM



Dest Trn: JKN ATL NS
 ODFL: JKN ATL NS
 Shipper B/L Number: 04640559771
 Purchase Order No: 121053
 Type: DR
 Copy: 1
 Date: 6/29/11
 W/B Date: 6/28/11
 Number: 04640559771

D Car Cd: MISSISSIPPI PRODUCTS INC
 2457 VALLEY STREET
 JACKSON MS 39204
 Dest T/L Car: PITT PLASTICS INC
 1101 COMMERCE RD
 MORROW GA 30260
 P/C: P
 C/O/S: 1
 Page No: 1
 Sec 7 SHHT: 1

D Car Rev: ODFL Rev: Ack No: Master Bill No: 04640559771
 Description: HANDLING UNITS: 8 OF TYPE WSKD
 CALL FOR DEL APPT
 Indv Pcs: 693 OTH
 BAGS OR POUCHES CELLULOSE OR
 PLASTIC 15# OR GREATER CLASS 60
 NMEC # 020480 / SUB # 03
 FUEL INCREASE
 ODFL JKN PHONE
 ODFL JKN TOLL-FREE
 CLASS: 050
 Weight: 12153
 AS Weight: 12153
 Rate: C.O.D.
 Prepaid: CONTD.
 Collect: JFT ***

RECEIVED IN GOOD CONDITION EXCEPT AS NOTED
 Consignee: Shipper: Date: 6-30-11
 By: *A. Mason*
 Company: *MPT*
 Driver: *B. White*
 Inside Delivery: Residential Delivery:
 Lift Gate: Other:
 Shrink Wrap Intact Unless: Otherwise Indicated
 Date Del'd: 6-30-11
 Pcs. Del'd: 8
 Total Prepaid: CONTD.
 Total Collect: CONTD.
 CASH: CHK: CHC:
 Date Del'd: 6-30-11
 COPY ORIGINAL FREIGHT



1400 ATKINSON AVENUE
P.O. BOX 356
PITTSBURG, KANSAS 66762-0356
620-231-4030

Invoice

REMIT PAYMENT TO:
PITT PLASTICS, INC.
P.O. BOX 876871
KANSAS CITY, MO 64187-6871

Invoice No: 371958
Invoice Date: 20-JUL-11
Order No: 361061
Order Date: 13-JUL-11
Ship Date: 20-JUL-11
Ship Via: Old Dominion
Pro/UPS #: 04840559979

INV TO: 25613
Mississippi Products
P.O. Box 8866
Jackson MS 39284-8866

SHIP TO: 25613
Mississippi Products
2457 Valley Street
Jackson MS 38204

PO No: 121079
Acct Mgr: Cindy Akina
Broker: Bradley & Associates
Buying Group:
Terms: 1/10 Net 30
Please deduct \$129.06 if payment received by
30-JUL-11.

Order Line #	Order Qty	Backorder Qty	Shipped Qty	Item Description	Unit Price	Extended Price
1	144	0	144	VB74020K 33x39, Heavy, 33 Gallon, Black, Star, Flat Pack, 250, No Print.	\$14.37	\$2,069.28
2	27	0	27	VG3901R 33x39, Extra Heavy, 33 Gallon, Red, Star, Flat Pack, 150, Black Ink.	\$18.99	\$512.73
3	153	0	153	VP3310DC 24x32, Regular, 16 Gallon, Clear, Star, Flat Pack, 1000, No Print.	\$22.21	\$3,398.13
4	414	0	414	VRP434715K 43x47, Extra Heavy, 56 Gallon, Black, Star, Flat Pack, 100, No Print.	\$16.73	\$6,926.22
	738	0	738	Total Weight: 13,276.89		

Invoice Sub-Total \$12,906.36
Invoice Total \$12,906.36

COMMENTS:-

For better service and quality we encourage you to order in full layers and/or full pallets.
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- SUPPLIERS ON A DIRECT BASIS WITH NO MARK UP. ANY PRICE INCREASES/SURCHARGES BY SUPPLIERS WILL BE PASSED THROUGH TO CUSTOMER IMMEDIATELY UPON NOTICE OF ANY PRICE INCREASE/SURCHARGE TO PITT PLASTICS BY ANY SUPPLIER.

JUL-13-2011 13:46 FROM:M1

PRODUCTS

601 502 1484

TO:19013082723

P.1/1



Mississippi Products, Inc.
P.O. Box 8808
Jackson MS 39284-8808
Phone: (601) 502-1481
Fax: (601) 502-1484

PURCHASE ORDER

Purchase Order No. 121079
Revision No. 0
Date 7/13/2011
Order Type Regular Order
Vendor ID PTT002

TO Pitt Plastics 1400 Atkinson Avenue Pittsburg, KS 66782 Phone: 6202314030 Fax:	SHIP TO: Mississippi Products, Inc. 2457 Valley Street Jackson, MS 39204 BILL TO: Mississippi Products, Inc. P.O. Box 8808 Jackson, MS 39284-8808
--	--

Confirm to.

FOR FURN	SHIP VIA	BUYER	PAGE 1
Destination	Best Way	Kyna McCain	
ORDER DATE	TERMS		
7/13/2011	Net 30 Days		

LINE	PART NUMBER	QUANTITY	UNITS	DATE REQUIRED	PRICE	EXT PRICE
1	VB74020K Liners Can 33" x 40" (Black) .60 mil 250/cs	144.00	CS	7/26/2011	14.570	2,099.28
2	VG3901R Liners Infectious Waste 33" x 39" (Red) 1.2 mil 150/cs	27.00	CS	7/25/2011	18.980	512.73
3	VP331000 Liners Can 24" x 32" (Clear) .35 mil 1000/cs	153.00	CS	7/24/2011	22.310	3,398.13
4	VRP454715K Liners Can 43" x 47" Extra Heavy (Black) 100/cs	414.00	CS	7/24/2011	18.730	6,926.22

Please ship as soon as possible.

Thanks,
Kyna

TOTAL

12,906.36

OLD DOMINION FREIGHT LINE, INC. (ODFL)
 PO BOX 841324 - DALLAS, TX 75284-1324 USA
 (336) 889-5000 Visit us at WWW.ODFL.COM



DR

Dest Trn	Orig Trn	Shipper B/L Number	Purchase Ord No	Typo	Copy
JKN	ATL	NS	121079		
D Car Cd	O Car Rev	ODFL Rev	O Car W/B No	Bill to Cd	Trl No
MISSISSIPPI PRODUCTS INC 2457 VALLEY STREET JACKSON MS 39204			PITT PLASTICS INC 1101 COMMERCE RD MORROW GA 30260		
D Car Cd	D Car Rev	ODFL Rev	Acc No	Master Bill No	
04640559979	Maybill Number	D/Agit	D/Agit	Master Bill No	
Pieces	HM	Description	CLASS	Weight	AS Weight
8		HANDLING UNITS: 8 OF TYPE SKID SCHEDULED APPOINTMENT DELIVERY Indy Pcs: 738 OTH BAGS OR POUCHES CELLULOSE OR PLASTIC 15# OR GREATER CLASS 60 NMEC # 020480 / SUB # 03 FUEL INCREASE WIM ODEL JKN PHONE (601)-664-1160	050	13860	
RECEIVED IN GOOD CONDITION EXCEPT AS NOTED			C.O.D.		
By: <i>Jim Edwards</i> Date: <i>7/22</i>			CONTD.		
Company: <i>Jim Edwards</i>			Total Prepaid		
Sort & Pieces			Total Collect		

CASH CHK CHC

Pcs. Del'd *8 skids*

Date Del'd *7-22-11*

Shrink Wrap Intact Unless Otherwise Indicated

COPY ORIGINAL FREIGHT



YOUNG WILLIAMS P.A.

Attorneys at Law
210 East Capitol Street
Suite 2000
Jackson, Mississippi 39201
Post Office Box 23059
Jackson, Mississippi 39225-3059
Telephone 601.948.6100
Fax 601.355.6136
www.youngwilliams.com

J. Wesley Daughdrill, Jr.

Sean Wesley Ellis

Kenneth D. Farmer

Stephen E. Gardner

Don H. Goode

Jay M. Kilpatrick

J. Scott Magee

Frank E. McRae, III

James H. Neeld, IV

J. Andrew Payne

Robert E. Sanders

Robert L. Wells

E. Stephen Williams

Of Counsel

James H. Neeld, III

James Leon Young

J. Will Young

1906-1996

Tony Carlisle

Administrator

March 23, 2012

Circuit Clerk
COUNTY COURT OF HINDS
P.O. BOX 327
JACKSON MS 39205

Dear Court Clerk:

Please file the enclosed complaint and return the copies and issued summonses to us.
Our filing fees are enclosed.

Sincerely yours,

Stephen E. Gardner

Enclosures



YOUNG WILLIAMS

YOUNG WILLIAMS P.A.

Attorneys at Law

210 East Capitol Street

Suite 2000

Jackson, Mississippi 39201

Post Office Box 23059

Jackson, Mississippi 39225-3059

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E. Stephen Williams

Of Counsel

James H. Neeld, III

James Leon Young

J. Will Young

1906-1996

Tony Carlisle

Administrator

April 13, 2012

HINDS COUNTY CIRCUIT CLERK
P.O. BOX 327
JACKSON MS 39205

Re: PITT PLASTICS
VS
MISSISSIPPI PRODUCTS INC

HINDS COUNTY CIRCUIT COURT CAUSE NO 12-1087

To Whom It May Concern:

Please find enclosed the original and one (1) copy of the "EXECUTED SUMMONS" in the above referenced matter. Please file the original and return to me the stamped "filed" copy. I have enclosed a self-addressed stamped envelope for your convenience.

If you have any questions in this regard, please do not hesitate to call me at the number below. Thank you for your assistance in this matter.

Sincerely,

Melanie Higgins

MELANIE HIGGINS
Paralegal for Steve Gardner

Enclosures

IN THE COUNTY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY, MISSISSIPPI

PITT PLASTICS

PLAINTIFF

VS.

CAUSE NO. 12-1087

MISSISSIPPI PRODUCTS INC

DEFENDANT(S)

SUMMONS

TO THE SHERIFF OR PROCESS SERVER:
YOU ARE COMMANDED TO SERVE:

MISSISSIPPI PRODUCTS INC OR JONATHAN J LEE
AGENT: JOHN HILL 1125 MARTINGALE DR
ONE SUMMERWOOD DR JACKSON, MS 39206
JACKSON, MS 39208

NOTICE TO DEFENDANT

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

UNLESS YOU DISPUTE THE VALIDITY OF THE DEBT WITHIN THIRTY (30) DAYS FROM THE RECEIPT OF THIS NOTICE, THE DEBT WILL BE PRESUMED TO BE VALID, IF YOU NOTIFY US WITHIN THIRTY (30) DAYS THAT THE DEBT OR ANY PORTION OF IT IS DISPUTED, WE WILL MAIL VERIFICATION OF THE DEBT TO YOU. ALSO, UPON YOUR REQUEST WE WILL PROVIDE YOU THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF THE ORIGINAL CREDITOR IS DIFFERENT FROM THE CURRENT ONE.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Stephen E. Gardner YoungWilliams P.A. and whose street address is 2000 Regions Plaza, Jackson, Mississippi, 39201. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this summons and complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and seal of said Court, this 28 day of March, 12.

ATTEST A TRUE COPY Circuit Clerk

Stephen E. Gardner
Mississippi Bar No. 4749
YoungWilliams P.A.
P. O. Box 23059
Jackson, Mississippi 39225-3059
(601) 948-6100

MAR 28 2012
BARBARA DUNN, CIRCUIT CLERK

By:  D.C.

BY  D.C.

FILED

PROOF OF SERVICE - SUMMONS
(PROCESS SERVER)

APR 17 2012

Ms. Products Inc. / Kyn Lee
Name of Person or Entity served

BARBARA DUNN, CIRCUIT CLERK
BY *[Signature]*

I, the undersigned process server, served the Summons and Complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

() FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE. By mailing (by first class mail, postage prepaid) copies to the person served, together with copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender. (Attach completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B).

(X) PERSONAL SERVICE. I personally delivered copies to Kynalee McAlpin on the 4th day of April, 2012, where I found said person in Hinds County of the State of Mississippi. (Agent of Process: _____)

() RESIDENCE SERVICE. After exercising reasonable diligence I was unable to deliver copies to said person within _____ County of the State of Mississippi. I served the Summons and Complaint on the _____ day of _____, 2012, at the usual place of abode of said person by leaving a true copy of the Summons and Complaint with _____ who is the _____ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the Summons and Complaint, and thereafter, on the _____ day of _____, 2012, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

() CERTIFIED MAIL SERVICE. By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or other evidence of actual delivery to the person served.)

() I was unable to serve the summons and complaint.

At the time of service I was at least 18 years of age and not a party to this action.

Fee for service: \$ 50⁰⁰ + 2 = 100⁰⁰

4/4-1125 martingale Dr. - N/A 835em
One Summerwood - unable to locate 920em

Process server must list below: (Please print or type)

Name: Craig Wells
Address: P.O. Box 4404
Brandon, MS 39047
Telephone: (601) 340-0051

4/4-935em served Kynalee McAlpin
Director / secretary - Secretary of State

Signature: X Kynalee McAlpin
(Personal / Residence Service)

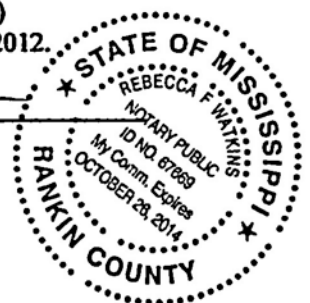
STATE OF MISSISSIPPI:
COUNTY OF Rankin:

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY is and for the state and county aforesaid, the within named Craig Wells who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service Summons" are true and correct as therein stated.

SWORN TO AND SUBSCRIBED before me, this the 4th day of April, 2012.

Craig Wells
Process Server (Signature)
[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES:
10-01-14



IN THE COUNTY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS
COUNTY MISSISSIPPI

PITT PLASTICS INC

FILED

PLAINTIFF

VS.

MAY 11 2012

NO. 12-1087

BARBARA DUNN, CIRCUIT CLERK

BY  D.C.

MISSISSIPPI PRODUCTS INC

DEFENDANT(S)

**APPLICATION TO CLERK FOR ENTRY OF DEFAULT AND
SUPPORTING AFFIDAVIT AND AFFIDAVIT ON ATTORNEY'S FEES**

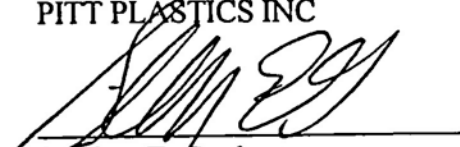
PURSUANT to Rule 55, M.R.C.P., the clerk is requested to enter default against the Defendant(s) in the above styled action for failure to plead, answer or otherwise defend as set out in the affidavit attached hereto as Exhibit "A".

DATED: May 9, 2012.

Respectfully submitted,

PITT PLASTICS INC

By:


Stephen E. Gardner

Stephen E. Gardner
MS Bar No. 4749
YoungWilliams, P.A.
P. O. Box 23059
Jackson, Mississippi 39225-3059
Telephone: (601) 948-6100

AFFIDAVIT

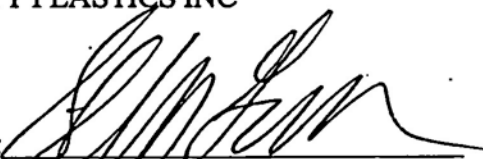
STATE OF MISSISSIPPI
COUNTY OF HINDS

Stephen E. Gardner, being duly sworn, deposed and says:

1. That he is attorney of record for the Plaintiff, and has personal knowledge of the facts set forth in this Affidavit.
2. That the Defendant(s) was/were duly served with summons and complaint.
3. That more than thirty (30) days have elapsed since the date on which the said Defendant(s) was/were served with summons and complaint.
4. That the Defendant(s) have failed to answer or otherwise defend as to Plaintiff's complaint or serve a copy of any answer or other defense which they might have upon the undersigned attorney of record for the Plaintiff.
5. This Affidavit is executed in accordance with Rule 55(a) of the Mississippi Rules of Civil Procedure, for the purpose of enabling the Plaintiff to obtain an entry of default against the Defendant(s) for their failure to answer or otherwise defend as to Plaintiff's complaint.

Respectfully submitted,

PITT PLASTICS INC

By: 
Stephen E. Gardner

SWORN TO AND SUBSCRIBED BEFORE ME, this the 10th day of

May, 2012.

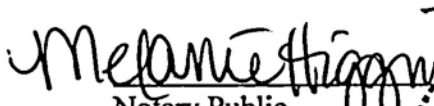

Notary Public
My Commission Expires*

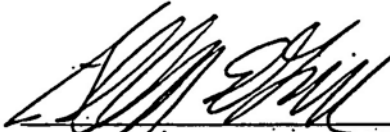


EXHIBIT "A" AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HINDS

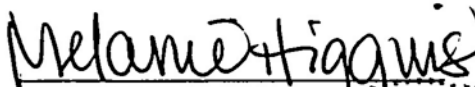
I Stephen E. Gardner , state under oath that:

1. I am executing this affidavit to support reasonable attorney's fees in this case.
2. I am an attorney licensed to practice law in the State of Mississippi.
3. I have handled numerous collection cases. In my opinion and based upon the Mississippi Supreme Court ruling in Dynasteel Corporation v. Aztec Industries, Inc., Cause No. 90-CA-85 (December 31, 1992), \$5000.00 is a reasonable attorney's fee in this matter, particularly in light of the fact that significant post-judgment attorney's fees are likely to be incurred by plaintiff in pursuit of the defendant(s) and in the collection of the debt.
4. The above and foregoing represents my opinion regarding attorney's fees to be awarded in this case and I am competent to testify to the same.



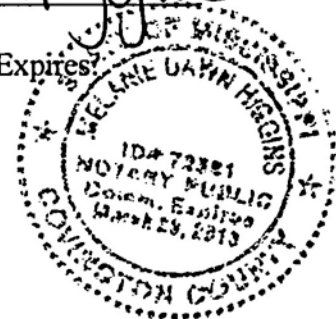
Stephen E. Gardner

SWORN TO AND SUBSCRIBED BEFORE ME, this the 10th day of
May, 2012.



Notary Public
My Commission Expires

"EXHIBIT B"





YOUNG WILLIAMS P.A.

Attorneys at Law
210 East Capitol Street
Suite 2000
Jackson, Mississippi 39201
Post Office Box 23059
Jackson, Mississippi 39225-3059
Telephone 601.948.6100
Fax 601.355.6136
www.youngwilliams.com

May 9, 2012

CIRCUIT COURT CLERK
P.O. BOX 327
JACKSON MS 39205

Dear COURT CLERK:

Please file the enclosed pleading and return the copies to us.

Sincerely yours,

Stephen E. Gardner
Enclosures

- J. Wesley Daughdrill, Jr.
Sean Wesley Ellis
Kenneth D. Farmer
Stephen E. Gardner
Don H. Goode
Jay M. Kilpatrick
J. Scott Magee
Frank E. McRae, III
James H. Neeld, IV
J. Andrew Payne
Robert E. Sanders
Robert L. Wells
E. Stephen Williams

Of Counsel

James H. Neeld, III
James Leon Young

J. Will Young
1906-1996

Tony Carlisle
Administrator

IN THE COUNTY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS
COUNTY MISSISSIPPI

PITT PLASTICS INC

FILED

PLAINTIFF

VS.

MAY 11 2012

NO. 12-1087

MISSISSIPPI PRODUCTS INC

BARBARA DUNN, CIRCUIT CLERK

BY *Shaley*

DEFENDANT(S)

DOCKET OF ENTRY OF DEFAULT

Default entered against the Defendant(s) this the 11 day of

May, 2012.

BARBARA DUNN, CIRCUIT CLERK
CIRCUIT CLERK

By:

Shaley
Deputy Clerk

IN THE COUNTY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY,
MISSISSIPPI

PITT PLASTICS INC

JUN 25 2012

PLAINTIFF

VS.

BARBARA DUNN, CIRCUIT CLERK
BY _____ D.C.

Cause No: 12-1087

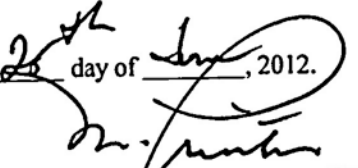
MISSISSIPPI PRODUCTS INC

DEFENDANT(S)

DEFAULT JUDGMENT

THIS CAUSE came on for hearing this day on the application of the Plaintiff for a default judgment pursuant to Rule 55, M.R.C.P., against the Defendant(s) and the Defendant(s) having been duly served with the summons and Complaint and not being an infant or unrepresented and incompetent person and having failed to plead or otherwise defend and Defendant(s)' default having been duly entered and docketed by the clerk of this Court, and the Defendant(s) having taken no proceeding since the default was entered this Court is of the opinion that the Plaintiff is entitled to a judgment against the Defendant(s). IT IS, THEREFORE, ORDERED AND ADJUDGED that PITT PLASTICS INC, be awarded a judgment against defendant(s) in the sum of \$25082.55, accrued interest in the amount of \$879.61, post judgment interest from the date of this judgment at the rate of 8.0000%, attorney fees in the amount of \$5000.00 and court costs for all of which let execution issue.

SO ORDERED AND ADJUDGED this the 20th day of June, 2012.



JUDGE

SUBMITTED


Stephen E. Gardner
MS Bar No. 4749
Attorney for Plaintiff
YoungWilliams P.A.
P.O. Box 23059
Jackson, MS 39225-3059
Telephone: (601) 948-6100

172 / 420001

IN THE COUNTY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY,
MISSISSIPPI

PITT PLASTICS INC

FILED

PLAINTIFF

VS.

JUL 11 2012

NO. 12-1087

MISSISSIPPI PRODUCTS INC

BARBARA DUNN, CIRCUIT CLERK
BY *[Signature]* DEFENDANT(S)

WELLS FARGO BANK, NA

GARNISHEE-DEFENDANT

SUGGESTION FOR WRIT OF GARNISHMENT

The undersigned attorney for the plaintiff in the above-styled cause respectfully shows that a final judgment was rendered in favor of the plaintiff against the defendant(s). The current balance owed under this judgment is \$30,302.55. Interest continues to accrue. That an execution may be issued upon said judgment; and that, **WELLS FARGO BANK, NA** garnishee-defendant herein, whose agent for service of process is **ANY OFFICER OR BANK TELLER, 188 E CAPITOL ST, JACKSON MS 39201** is indebted to defendant(s), possesses effects of and/or knows of some other person who is indebted to defendant(s), or possesses effects of defendant(s).

Plaintiff demands that any indebtedness of **WELLS FARGO BANK, NA** to defendants, at the time of service of process therefore, be bound by and subject to the lien of the judgment including post judgment interest and court costs and further that it be appropriated to the satisfaction of the judgment with payments to be applied to accrued interest first then to principal until the entire principal balance is paid.

Further, plaintiff demands judgment against the garnishee-defendant, **WELLS FARGO BANK, NA**, in the sum of \$30,302.55 plus post judgment interest and all court costs.

DATED: June 29, 2012.

BY:



PITT PLASTICS INC
Stephen E. Gardner

Stephen E. Gardner
Mississippi Bar No. 4749
Young Williams P.A.
P. O. Box 23059
Jackson, MS 39225-3059
(601) 948-6100



YOUNG WILLIAMS P.A.

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Robert L. Wells
E. Stephen Williams

Of Counsel

James H. Neeld, III
James Leon Young

J. Will Young
1906-1996

Tony Carlisle
Administrator

June 29, 2012

CIRCUIT COURT CLERK
HINDS COUNTY COURT
P.O. BOX 327
JACKSON MS 39205

RE: Cause No: 12-1087

Dear Court Clerk:

Please file the enclosed and return the copies and issued writs to us. Our filing fees are enclosed.

Sincerely yours,

Stephen E. Gardner
Enclosures

GARNISHEE'S ANSWER

Plaintiff: Pitt Plastics
(Person Asserting Claim)

Number: #12-1087

Defendant: Mississippi Products Inc
(Person Whose Property is Subject to Garnishment)

Wells Fargo Bank
Garnishee: Legal Order Processing
P.O. Box 7600
Philadelphia, PA 19106

FILED
AUG 06 2012
BARBARA DUNK CIRCUIT CLERK
BY *[Signature]* D.C.

NOTICE TO GARNISHEE:

After reading the Process of Garnishment and Instructions on the reverse side of the process of garnishment, check the appropriate answer(s) below, sign and have notarized. Keep a copy of this answer for your records and return the original and other copies to this court at the address below.

Defendant is employed and Garnishee will withhold from the salary, wages or other compensation, as required and pay into court.

Defendant is employed, but defendant's disposable earnings are not sufficient to be subject to garnishment.

Garnishee has in Garnishee's possession or control property or money belonging to Defendant, which is not wages, salary or other compensation, namely: _____ and is holding the property or money subject to orders of the court.

Defendant not employed/Garnishee not indebted to Defendant when process was received, or when making this Answer, or during intervening time, and Garnishee does not have possession or control of any belongings of the Defendant.

If Garnishee is a corporation, the person signing below is the duly authorized agent of Garnishee to make this answer and has knowledge of the facts stated herein.

Other (Explain) No Funds _____

Maya Smith

Garnishee or Authorized Agent (Signature)

Sworn To and Subscribed before me this
Date: July 27 2012

ADDRESS OF COURT
Circuit Clerk Of Hinds County Court
P O Box 327
Jackson, MS 39205

[Signature]

Notary Public (Signature)

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Joan Bowen, Notary Public
City of Philadelphia, Philadelphia County
My Commission Expires Aug. 4, 2015
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

My commissions expires

Fee # 644092
J 66109812 m
A LEGL
in party
Laura Sermons
no fees

IN THE COUNTY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY, MISSISSIPPI

PITT PLASTICS INC

PLAINTIFF

VS.

NO. 12-1087

MISSISSIPPI PRODUCTS INC

DEFENDANT(S)

WELLS FARGO BANK, NA

GARNISHEE-DEFENDANT

WRIT OF GARNISHMENT

STATE OF MISSISSIPPI

TO ANY LAWFUL OFFICER OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY:

WHEREAS PITT PLASTICS INC, recovered a final judgment in this cause which has a current balance of \$30,302.55 with interest accruing against defendant, SSN, and said plaintiff having made proper suggestion for writ of garnishment against garnishee-defendant, whose agent is ANY OFFICER OR BANK TELLER 188 E CAPITOL ST, JACKSON MS 39201.

ACCT # 200061771578

We, therefore, command you to summon said, garnishee, to answer within thirty (30) days of service of process, under oath in writing:

FIRST: Whether WELLS FARGO BANK, NA be indebted to DEFENDANT(S) or were so indebted at the time of the service of the writ or have at any time since been so indebted; and if so indebted, at what sum, whether due or not, and when due or to become due and how the debt is evidenced and what interest it bears. Said indebtedness is to include, but not be limited to, all checking and savings accounts, certificates of deposit, and the contents of any safety deposit boxes at the time of service of process therefore.

SECOND: What effects of DEFENDANT(S) you have or had at any time of the service of the writ on you or have had since in your possession or under your control.

THIRD: Whether you know or believe any person is indebted to DEFENDANT(S) or either of them; and if so, whom, and what amount and where he resides.

FOURTH: Whether you know or believe that any other person has effects of DEFENDANT(S) or either of them in his possession or under his control and if so, who and where he resides.

FIFTH: If DEFENDANT(S) is your employee, his or her wages, salary or other compensation is totally exempt for a period of thirty (30) days from the date of service of this writ, thereafter 75% of said wages, salary or other compensation due or to become due is exempt by law from garnishment. The remaining non-exempt disposable earnings shall be retained by you for such time as is necessary to accumulate a sum equal to the amount shown on the writ as due plus interest from the date of the judgment and court costs, and UNLESS OTHERWISE AUTHORIZED BY THE COURT, you shall make only one (1) payment to Stephen E. Gardner when said amount has been accumulated, provided that at least one payment must be made per year for the amount withheld during the preceding year. If the Defendant leaves your employment, you shall notify Stephen E. Gardner within fifteen (15) days and pay into Stephen E. Gardner all sums that have been withheld.

WITNESS MY SIGNATURE this the 16 day of July 2012

Circuit Clerk

THE FIRST JUDICIAL DISTRICT OF HINDS

BARBARA DUNN, CIRCUIT CLERK

HINDS COUNTY, FIRST DISTRICT

P. O. BOX 327

JACKSON, MS 39205

BY: Shelby

Stephen E. Gardner
Mississippi Bar No. 4749
YoungWilliams P.A.
P. O. Box 23059
Jackson, MS 39225-3059
(601) 948-6100

ANSWER TO GARNISHMENT

IN THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY
CIRCUIT OR COUNTY COURT
POST OFFICE BOX 327
JACKSON, MISSISSIPPI 39205

PLASTICS PITT Plaintiff

VS

When corresponding with this office
please use this number

MISSISSIPPI PRODUCTS INC Defendant

No. 251-12-001087-COV

Wells Fargo Bank, NA Garnishee

AND NOW COMES THE SAID GARNISHEE BY _____ WHO
has been summoned to answer a writ of Garnishment in the above styled cause, and answering, says that:
It is indebted to said defendant in the sum of _____

_____ AND NO MORE.

That it has none other effects of said defendants in its hands, no did it have at the time of such summons; nor has it had since that time. That it knows of no other person or persons who are indebted to said defendant, or who have any of his effects in their hands. That it has no knowledge or belief of any other persons having effects of said defendant in their possession or under their control, except as follows:

Said garnishee says that defendant is its employee and that, as of the time of the service of the writ on him, it was indebted to defendant in said sum for wages, salary and compensation for personal services performed and, the first thirty (30) days', wages, salary or other compensation and thereafter 75% of compensation is exempt from garnishment and that the defendant is paid by the _____ and is usually paid on the _____ day of each _____

Week or Month

Week or Month

and that we will retain non exempt disposable earnings for such time as is necessary to accumulate a sum equal to the amount shown on the writ as due and unless otherwise authorized by the Court will make one payment to THE PLAINTIFF'S ATTORNEY when said sum is withheld making at least one payment per year and will notify the THE ATTORNEY FOR THE PLAINTIFF if the defendant leaves our employ and at that time pay unto THE ATTORNEY FOR THE PLAINTIFF (AS ORDERED) all sums withheld up to that point.

SWORN TO AND SUBSCRIBED BEFORE ME,
THE UNDERSIGNED NOTARY PUBLIC,

this the _____ day of _____

NOTARY PUBLIC

By _____

MY COMMISSION EXPIRES: _____

NOTE: This or a similar answer must be filed on or before the return date indicated on the writ.



YOUNG WILLIAMS

YOUNG WILLIAMS P.A.

Attorneys at Law

210 East Capitol Street

Suite 2000

Jackson, Mississippi 39201

Post Office Box 23059

Jackson, Mississippi 39225-3059

Telephone 601.948.6100

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Of Counsel

James H. Neeld, III

James Leon Young

J. Will Young

1906-1996

Samantha Statham

Tony Carlisle

Administrator

August 8, 2012

HINDS COUNTY CIRCUIT CLERK
P.O. BOX 327
JACKSON, MS 39205

Re: **PITT PLASTICS INC
VS
MISSISSIPPI PRODUSTS INC**

HINDS COUNTY COURT CAUSE NO~ 12-1087

To whom it may concern:

Please find enclosed the original and one (1) copy of the executed "WRITS" in the above referenced matter. Please file the original and return to me the stamped "filed" copy. I have enclosed a self-addressed stamped envelope for your convenience.

If you have any questions in this regard, please do not hesitate to call me at the number below. Thank you for your assistance in this matter.

Sincerely,

SGS
Paralegal for Stephen Gardner
Enclosures

IN THE COUNTY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY,
MISSISSIPPI

PITT PLASTICS INC

PLAINTIFF

VS.

NO. 12-1087

MISSISSIPPI PRODUCTS INC

DEFENDANT(S)

WELLS FARGO BANK, NA

GARNISHEE-DEFENDANT

WRIT OF GARNISHMENT

STATE OF MISSISSIPPI

TO ANY LAWFUL OFFICER OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY:

WHEREAS PITT PLASTICS INC, recovered a final judgment in this cause which has a current balance of \$30,302.55 with interest accruing against defendant, ^{ACCT # 200061711578} ~~SSN~~, and said plaintiff having made proper suggestion for writ of garnishment against garnishee-defendant, whose agent is ANY OFFICER OR BANK TELLER 188 E CAPITOL ST, JACKSON MS 39201.

We, therefore, command you to summon said, garnishee, to answer within thirty (30) days of service of process, under oath in writing:

FIRST: Whether WELLS FARGO BANK, NA be indebted to DEFENDANT(S) or were so indebted at the time of the service of the writ or have at any time since been so indebted; and if so indebted, at what sum, whether due or not, and when due or to become due and how the debt is evidenced and what interest it bears. Said indebtedness is to include, but not be limited to, all checking and savings accounts, certificates of deposit, and the contents of any safety deposit boxes at the time of service of process therefore.

SECOND: What effects of DEFENDANT(S) you have or had at any time of the service of the writ on you or have had since in your possession or under your control.

THIRD: Whether you know or believe any person is indebted to DEFENDANT(S) or either of them; and if so, whom, and what amount and where he resides.

FOURTH: Whether you know or believe that any other person has effects of DEFENDANT(S) or either of them in his possession or under his control and if so, who and where he resides.

FIFTH: If DEFENDANT(S) is your employee, his or her wages, salary or other compensation is totally exempt for a period of thirty (30) days from the date of service of this writ, thereafter 75% of said wages, salary or other compensation due or to become due is exempt by law from garnishment. The remaining non-exempt disposable earnings shall be retained by you for such time as is necessary to accumulate a sum equal to the amount shown on the writ as due plus interest from the date of the judgment and court costs, and UNLESS OTHERWISE AUTHORIZED BY THE COURT, you shall make only one (1) payment to Stephen E. Gardner when said amount has been accumulated, provided that at least one payment must be made per year for the amount withheld during the preceding year. If the Defendant leaves your employment, you shall notify Stephen E. Gardner within fifteen (15) days and pay into Stephen E. Gardner all sums that have been withheld.

WITNESS MY SIGNATURE this the 16 day of July 2012

Circuit Clerk

THE FIRST JUDICIAL DISTRICT OF HINDS

BARBARA DUNN, CIRCUIT CLERK

HINDS COUNTY, FIRST DISTRICT

P. O. BOX 327

JACKSON, MS 39205

BY: Shaly

Stephen E. Gardner
Mississippi Bar No. 4749
Young Williams P.A.
P. O. Box 23059
Jackson, MS 39225-3059
(601) 948-6100

PROOF OF SERVICE - GARNISHMENT
(PROCESS SERVER)

FILED

AUG 10 2012

BARBARA DUNN, CIRCUIT CLERK

Wells Fargo Bank / MS Products Inc.
Name of Person or Entity served

*Pitt Plastics
MS Products Inc*

I, the undersigned process server, served the Garnishment upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

() FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE. By mailing (by first class mail, postage prepaid) copies to the person served, together with copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender. (Attach completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B).

(X) PERSONAL SERVICE. I personally delivered copies to Laura Sermans on the 23rd day of July, 2012, where I found said person in Hinds County of the State of Mississippi. (Agent of Process: _____)

() CERTIFIED MAIL SERVICE. By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or other evidence of actual delivery to the person served.)

() I was unable to serve the Garnishment.

At the time of service I was at least 18 years of age and not a party to this action.

Fee for service: \$ 35⁰⁰

7/23 - send @ 940am

Process server must list below: (Please print or type)

Name: Craig Wells
Address: P.O. Box 4404
Brandon, MS 39047
Telephone: (601) 540-0051

STATE OF MISSISSIPPI:
COUNTY OF Rankin:

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY is and for the state and county aforesaid, the within named Craig Wells who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service" are true and correct as therein stated.

Craig Wells
Process Server (Signature)

SWORN TO AND SUBSCRIBED before me, this the 23rd day of July, 2012.

Debera R Tate
NOTARY PUBLIC

MY COMMISSION EXPIRES:
01/06/2013

